

## § 932.159

## 7 CFR Ch. IX (1–1–06 Edition)

§ 932.149 provided the following conditions are met. Such olives must be identified to the satisfaction of the Inspection Service and kept separate from other packaged olives. The handler shall submit to the committee for its approval “COC Form 155” at least 10 working days prior to the shipment of such packaged olives to test markets, and report progress or changes to the committee, as requested. The applicant handler shall provide the following information on COC Form 155:

- (1) The quantity of olives to be utilized (limited to not more than five percent of the handler’s crop year acquisitions);
  - (2) Specific market outlet;
  - (3) Flavorings or other ingredients added to the olives;
  - (4) Style of olives used;
  - (5) Type of olives used, either black or green ripe;
  - (6) Container sizes;
  - (7) Varieties used, whether Ascolano, Barouni, Manzanillo, Mission, Sevillano, etc.;
  - (8) Sizes of olives utilized;
  - (9) Approximate dates when the new product will be packaged;
  - (10) Name and address of requesting handler;
  - (11) Place of inspection;
  - (12) Certification that all assessment and reporting requirements in effect under the marketing order will be met prior to shipment;
  - (13) Certification that all such fruit will be kept separate from other packaged olives and will be so identified by control cards or other means acceptable to the Inspection Service;
  - (14) Purpose and nature of the request, whether for test marketing, evaluation, market research, etc.; and
  - (15) An estimate of the amount of time required to complete the test. The committee shall promptly approve or deny the application, and may add limitations to any such approval. Upon approval, the applicant handler shall notify the Inspection Service. Packaged olives so identified and remaining unused at the end of the approved test-market period shall be disposed of according to paragraph (a) of this section.
- (c) In accordance with the provisions of § 932.55(b), any handler may use proc-

essed olives in the production of packaged olives for repackaging, and ship packaged olives for repackaging, if the packaged olives meet the minimum quality requirements, except for the requirement that the packaged olives possess a reasonably good flavor: *Provided*, That the failure to possess a reasonably good flavor is due only to excessive sodium chloride.

[33 FR 15632, Oct. 23, 1968, as amended at 39 FR 38221, Oct. 30, 1974; 62 FR 1244, Jan. 9, 1997; 65 FR 4575, Jan. 31, 2000]

### § 932.159 Reallocation of handler membership.

Pursuant to § 932.25, handler representation on the Committee is reallocated to provide that the two handlers who handled the largest and second largest total volume of olives during the crop year in which nominations are made and in the preceding crop year shall each be represented by four members and four alternate members.

[65 FR 62994, Oct. 20, 2000]

### § 932.161 Reports.

(a) *Reports of olives received.* Each handler shall submit to the committee, on a form provided by the committee, for each week (Sunday through Saturday, or such other 7-day period for which the handler has submitted a request and received approval from the committee) and not later than the fourth day after the close of such week, a report showing by size designation and culls the respective quantities of each variety of olives received. In addition thereto, he shall also report the seasonal totals to date of the report.

(b) *Sales reports.* (1) Each handler shall submit to the committee, on COC Form 21 as provided by the committee, for each month and not later than the 15th day following the end of that month, a report showing the handler’s total sales of packaged olives to commercial outlets in the United States, to governmental agencies, and to foreign countries. Such sales shall be reported in the following categories:

- (i) Whole and whole pitted styles of canned ripe olives in consumer size containers;